

House Bill 1504

By: Representative Hill of the 180th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the St. Marys Convention and Visitors Bureau Authority,
2 approved June 3, 2003 (Ga. L. 2003, p. 4464), so as to provide for two additional members
3 to the authority; to provide for the removal of such members; to provide for the method of
4 selection for such members; to provide for terms for the members of the authority; to provide
5 for staggered terms for initial members; to provide for an increase of the members required
6 for a quorum; to provide for related matters; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act creating the St. Marys Convention and Visitors Bureau Authority, approved June 3,
11 2003 (Ga. L. 2003, p. 4464), is amended by revising Section 4 as follows:

12 **"SECTION 4.**

13 **Members and Meetings.**

14 (a) The authority shall consist of nine members who shall be natural persons who shall be
15 at least 18 years of age and shall be residents of the city or operate a business in the city or
16 designee of the business owner. The authority members shall be appointed by a majority
17 vote of the Council. Eight authority members shall be composed in compliance with the
18 St. Marys Convention and Visitors Bureau Authority bylaws. The mayor shall appoint as
19 a ninth member of the authority one incumbent councilmember and shall also be approved
20 by a majority vote of the council. Each authority member shall serve a three-year term.
21 The councilmembers shall serve for their elected term. Any member may resign at any
22 time by filing a written notice of resignation with the city clerk. Members shall serve at the
23 pleasure of the mayor and council and may be removed by a majority vote of the mayor
24 and council, with or without cause, and neither the city nor the mayor nor any member of
25 council shall be subject to any liability on account of such removal.

(b) The authority shall meet at such times as may be necessary to transact the business coming before it. Meeting of the authority shall be open to the public in accordance with the laws of this state. Written minutes of all meetings shall be kept and, within ten days following every meeting, a copy of the minutes shall be furnished to the mayor and council of the city. Meetings shall be conducted in accordance with Robert's Rules of Order.

(c) The current authority members will continue to serve through June 2010. The City Council will appoint nine authority members in June 2010 to begin serving July 2010 to coincide with the City Fiscal Year. The following staggered appointments will begin July 2010: Three, three-year terms; Three, two-year terms; and Two, one-year terms. The chairperson shall preside at meetings of the authority. The vice chairperson shall preside at meetings in the absence of the chairperson. In the absence of both the chairperson and vice chairperson, the members present at a meeting shall elect a temporary chairperson to preside at that meeting so long as the chairperson and vice chairperson both remain absent from the meeting. Five members shall constitute a quorum. Official action may be taken by majority vote of those members voting on a matter if a quorum is present and voting on such matter, except that the bylaws of the authority may only be initially adopted or subsequently amended by majority vote of all members. All members present at a meeting, including the chairperson, vice chairperson, or any other member presiding at such meeting, shall be entitled to vote on all matters that come before the meeting, except as otherwise provided in subsection (e) of this section. No vacancy on the authority shall impair the right of the quorum to exercise all the rights and perform all the duties of the authority.

(d) Members shall receive no compensation for their services as members of the authority but may be reimbursed for their proper and reasonable expenses incurred in the performance of their duties, subject to any limitations imposed by general law on the reimbursement of public officials and subject to any limitations which may be contained from time to time in the bylaws of the authority.

(e)(1) As used in this subsection, the term "substantial interest or involvement" means any interest or involvement which reasonably may be expected to result in a direct financial benefit to such member, as determined by the members by vote, which determination shall be final and not subject to review.

(2) The provisions of Code Section 45-10-3 of the O.C.G.A. shall apply to the members of the authority and a member of the authority shall not engage in any transaction with the authority. The provisions of the immediately preceding sentence and the provisions of paragraph (9) of such Code section shall be deemed to have been complied with and the authority may purchase from, sell to, borrow from, loan to, contract with, or otherwise

62 deal with any member or any organization or person with which any member of the
63 authority is in any way interested or involved, provided that:

64 (A) Any interest or involvement by such members is disclosed in advance to the
65 members of the authority who will be voting on the matter or transaction and such
66 disclosure is recorded in the minutes of the authority;

67 (B) No member having such a substantial interest or involvement may be present at
68 that portion of any meeting of the board of members during which discussion of such
69 matter or transaction is conducted; and

70 (C) No member having a substantial interest or involvement may participate in any
71 decision of the board of members relating to any such matter or transaction. A member
72 who has any such substantial interest or involvement shall be entitled to participate in
73 discussions of whether such interest or involvement is a substantial interest or
74 involvement but shall not be entitled to vote on the question.

75 (3) Nothing contained in this subsection shall be deemed to prohibit any member from
76 providing legal services to the authority, being paid for such services and related
77 expenses, participating in discussions relating to his or her engagement, scope of services,
78 compensation, or related matters or from voting on such matters."

79 SECTION 2.

80 All laws and parts of laws in conflict with this Act are repealed.